

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION TO CORRECT RESOLUTION NUMBER 09R0513 ADOPTED BY THE CITY COUNCIL ON April 20, 2009 AND APPROVED BY THE MAYOR ON April 27, 2009 BY DELETING INCORRECT VERBIAGE AND DOLLAR AMOUNTS AND INSERTING IN LIEU THEREOF THE CORRECT FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.

WHEREAS, Resolution 09R0513 (the "Legislation") was adopted on by the Atlanta City Council On April 20, 2009 and approved by the Mayor on April 27, 2009; and

WHEREAS, the Legislation displays verbiage that omits the correct revenue stream reference and funding amount for contract FC-4770, Hemphill Finished Water Pumping Station, by incorrectly stating, "that all contracted work for shall be charged to and paid from Project Task Award Expenditure Organization and Account Number 17110396.101.505821445.5414002.COA and Fund Department Organization and Account Number 5058 (2004 Water & Wastewater Bond Fund) 170403 (DWM Drinking Water Operational Support) 5999999 (Projects and Grants Budget - Summary) 4440000 (Distribution)"; and

WHEREAS, it is the desire of the Department of Watershed Management that Resolution 09R0513 display the correct funding source reference and funding amount for FC-4770, Hemphill Finished Water Pumping Station, by deleting the language, "that all contracted work for shall be charged to and paid from Project Task Award Expenditure Organization and Account Number 17110396.101.505821445.5414002.COA and Fund Department Organization and Account Number 5058 (2004 Water & Wastewater Bond Fund) 170403 (DWM Drinking Water Operational Support) 5999999 (Projects and Grants Budget - Summary) 4440000 (Distribution)" and *inserting in lieu thereof* anywhere the Language shall occur in the Legislation:

"that all contracted work shall be charged to and paid from the listed Fund Department Organization and Account Numbers and Project Award Task Expense and Organization Numbers in the following amounts: \$14,934,000.00 - PATEO: 17110396.101.505821445.5414002.COA, FDOA: 5058 (2004 Water & Wastewater Bond Fund) 170403 (DWM Drinking Water Operational Support) 5414002 (Projects & Grants Budget-Summary) 4440000 (Distribution); \$4,000,000.00 - PTAE0: 17110396.102.505291858.5414002.COA, FDOA: 5052 (DWM Security Surcharge) 170403 (DWM Drinking Water Operational Support) 5414002 (Projects & Grants Budget-Summary) 4440000 (Distribution)."

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Resolution 09R0513 shall be corrected by deleting:

“that all contracted work for shall be charged to and paid from Project Task Award Expenditure Organization and Account Number 17110396.101.505821445.5414002.COA and Fund Department Organization and Account Number 5058 (2004 Water & Wastewater Bond Fund) 170403 (DWM Drinking Water Operational Support) 5999999 (Projects and Grants Budget - Summary) 4440000 (Distribution).”

and *inserting in lieu thereof* anywhere the Language shall occur in the Legislation:

“that all contracted work shall be charged to and paid from the listed Fund Department Organization and Account Numbers and Project Award Task Expense and Organization Numbers in the following amounts: \$14,934,000.00 - PATEO: 17110396.101.505821445.5414002.COA and FDOA: 5058 (2004 Water & Wastewater Bond Fund) 170403 (DWM Drinking Water Operational Support) 5414002 (Projects & Grants Budget-Summary) 4440000 (Distribution); \$4,000,000.00 - PTAE0: 17110396.102.505291858.5414002.COA and FDOA: 5052 (DWM Security Surcharge) 170403 (DWM Drinking Water Operational Support) 5414002 (Projects & Grants Budget-Summary) 4440000 (Distribution).”

BE IT FINALLY RESOLVED, that all Resolutions and parts of Resolutions in conflict herewith be and are hereby waived to the extent of the conflict.

**A RESOLUTION
BY CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTURAL AGREEMENT WITH WESTERN SUMMIT CONSTRUCTORS FOR FC-4770, HEMPHILL FINISHED WATER PUMPING STATION ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED EIGHTEEN MILLION NINE HUNDRED THIRTY-FOUR THOUSAND DOLLARS AND NO CENTS (\$18,934,000.00); THAT ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM PROJECT TASK AWARD EXPENDITURE ORGANIZATION AND ACCOUNT NUMBER 17110396.101.505821445.5414002.COA AND FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5058 (2004 WATER & WASTEWATER BOND FUND) 170403 (DWM DRINKING WATER OPERATIONAL SUPPORT) 5999999 (PROJECTS AND GRANTS BUDGET - SUMMARY) 4440000 (DISTRIBUTION); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta did advertise for FC-4770, Hemphill Finished Water Pumping Station on behalf of the Department of Watershed Management; and

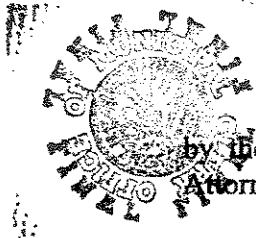
WHEREAS, FC-4770, Hemphill Finished Water Pumping Station is a project which consists of improvements to the Hemphill Finished Water Pump Station, Reservoir Pump station and improvements to an existing sanitary sewer system; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer have recommended that the Agreement for FC-4770, Hemphill Finished Water Pumping Station be awarded to Western Summit Constructors in an amount not to exceed Eighteen Million Nine Hundred Thirty-Four Thousand Dollars And No Cents (\$18,934,000.00).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is hereby authorized to enter into an agreement with Western Summit Constructors for FC-4770, Hemphill Finished Water Pumping Station on behalf of the Department of Watershed Management, in an amount not to exceed Eighteen Million Nine Hundred Thirty-Four Thousand Dollars And No Cents (\$18,934,000.00).

BE IT FURTHER RESOLVED, that the Chief Procurement Officer be and is hereby directed to prepare an appropriate agreement for execution by the Mayor to be approved by the City Attorney as to form.

BE IT FURTHER RESOLVED, that the Agreement will not become binding on the City, and the City will incur no obligation or liability under it until it has been executed



by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Western Summit Constructors.

BE IT FINALLY RESOLVED, that all contracted work for shall be charged to and paid from Project Task Award Expenditure Organization and Account Number 17110396.101.505821445.5414002.COA and Fund Department Organization and Account Number 5058 (2004 Water & Wastewater Bond Fund) 170403 (DWM Drinking Water Operational Support) 5999999 (Projects and Grants Budget - Summary) 4440000 (Distribution).

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Shirley Franklin

APR 20, 2009
APR 27, 2009

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities

Caption: A RESOLUTION TO CORRECT RESOLUTION NUMBER 09R0513 ADOPTED BY THE CITY COUNCIL ON APRIL 20, 2009 AND APPROVED BY THE MAYOR ON APRIL 27, 2009 BY DELETING INCORRECT VERBIAGE AND DOLLAR AMOUNTS AND INSERTING IN LIEU THEREOF THE CORRECT FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.

Council Meeting Date: June 1, 2009

Requesting Dept.: Watershed Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to correct Resolution 09R0513 to replace the incorrect funding stream language and insert the correct funding language in following amounts: \$14,934,000.00 - PATEO: 17110396.101.505821445. 5414002. COA and FDOA: 5058 (2004 Water & Wastewater Bond Fund) 170403 (DWM Drinking Water Operational Support) 5414002 (Projects & Grants Budget-Summary) 4440000 (Distribution); \$4,000,000.00 - PTAE0: 17110396.102.505291858.5414002.COA and FDOA: 5052 (DWM Security Surcharge) 170403 (DWM Drinking Water Operational Support) 5414002 (Projects & Grants Budget-Summary) 4440000 (Distribution)."

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center (Ex. Name and number):

Fund: _____ **Account:** _____ **Center:** _____

5. Source of Funds: Example: Local Assistance Grant "\$14,934,000.00 - PATEO: 17110396.101.505821445. 5414002.COA and FDOA: 5058 (2004 Water & Wastewater Bond Fund) 170403 (DWM Drinking Water Operational Support) 5414002 (Projects & Grants Budget-Summary) 4440000 (Distribution); \$4,000,000.00 - PTAE0: 17110396.102.505291858.5414002.COA and FDOA: 5052 (DWM Security Surcharge) 170403 (DWM Drinking Water Operational Support) 5414002 (Projects & Grants Budget-Summary) 4440000 (Distribution)."

6. Fiscal Impact: n/a

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: n/a

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.**
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.**

This Legislative Request Form Was Prepared By: Maisha L. Wood

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: _____ Maisha L. Wood _____

Contact Number: _____ (404) 330-6887 _____

Originating Department: _____ Department of Watershed Management _____

Committee(s) of Purview: _____ City Utilities Committee _____

Chief of Staff Deadline: _____ May 14, 2009 _____

Anticipated Committee Meeting Date(s): _____ May 26, 2009 _____

Anticipated Full Council Date: _____ June 1, 2009 _____

Legislative Counsel's Signature: _____  _____

Commissioner Signature: _____ Robert J. Hunter ^{SCD} _____

Chief Procurement Officer Signature: _____ n/a _____

CAPTION

A RESOLUTION TO CORRECT RESOLUTION NUMBER 09R0513 ADOPTED BY THE CITY COUNCIL ON APRIL 20, 2009 AND APPROVED BY THE MAYOR ON APRIL 27, 2009 BY DELETING INCORRECT VERBIAGE AND DOLLAR AMOUNTS AND INSERTING IN LIEU THEREOF THE CORRECT FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): n/a

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: _____ 5-12-09  _____ Reviewed by: _____  _____
(date) (date)

Submitted to Council: _____
(date)